

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HJR 70

March 2, 2011

SUMMARY OF BILL: Proposes amending Article II, Section 8, of the Tennessee Constitution to require the General Assembly to meet in regular session each year beginning on the first Tuesday in February and ending not later than the fourth Thursday in May. Proposes amending Article II, Section 23, of the Tennessee Constitution to prohibit members of the General Assembly from being paid expenses or travel allowances for more than 30 legislative days of any extraordinary session. Resolves that the amendment be referred to the 108th General Assembly and that this resolution be published in accordance with Article XI, Section 3, of the Tennessee Constitution by posting this amendment on the Secretary of State's website.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- In *American Civil Liberties Union et al. v. Darnell et al.*, 195 S.W.3d 612, 626 n.12 (Tenn. 2006), the Tennessee Supreme Court noted without deciding the issue that: "The General Assembly has the authority to adopt a rule or enact a statute that defines the term 'published' used in Article XI, Section 3 or that specifies the means and manner of publication. When interpreting constitutional provisions, courts carefully consider any interpretation the General Assembly has given the provision." This note assumes that authorization by the General Assembly of electronic publication complies with the constitutional publication requirement.
- Posting this resolution on the official website of the Secretary of State will not result in a significant increase in state expenditures.
- Because Article XI, Section 3 of the Tennessee Constitution requires publication of the resolution before the next legislative election, this publication would occur in the spring of 2012.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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